



# FMCS

FEDERAL MEDIATION &  
CONCILIATION SERVICE

# Role & Function of the FMCS

**FY 2021**  
**(Updated Jan, 2022)**

# Statutory Mission...



1

Created in 1947 as an Independent agency under Taft-Hartley Act.

2

Neither a regulatory nor an enforcement agency, but a neutral party designed to assist labor and management.

3

Make available full and adequate government facilities for conciliation, mediation and voluntary arbitration to aid and encourage [the parties] to settle differences through collective bargaining.



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# Statutory Mission...



4 Helps parties resolve collective bargaining disputes which threaten the free flow of commerce.

5 Make its services available to Federal agencies to aid in the resolution of disputes through assistance, training, and the provision of neutrals.



# FMCS Mission...



1

Promote sound and stable labor-management relations;

2

Prevent or minimize work stoppages;

3

Advocate collective bargaining, mediation, arbitration;



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# FMCS

## Mission...



4

Advocate the art, science and practice of ADR;

5

Provide conflict resolution services;

6

Foster improved labor-management relationships.



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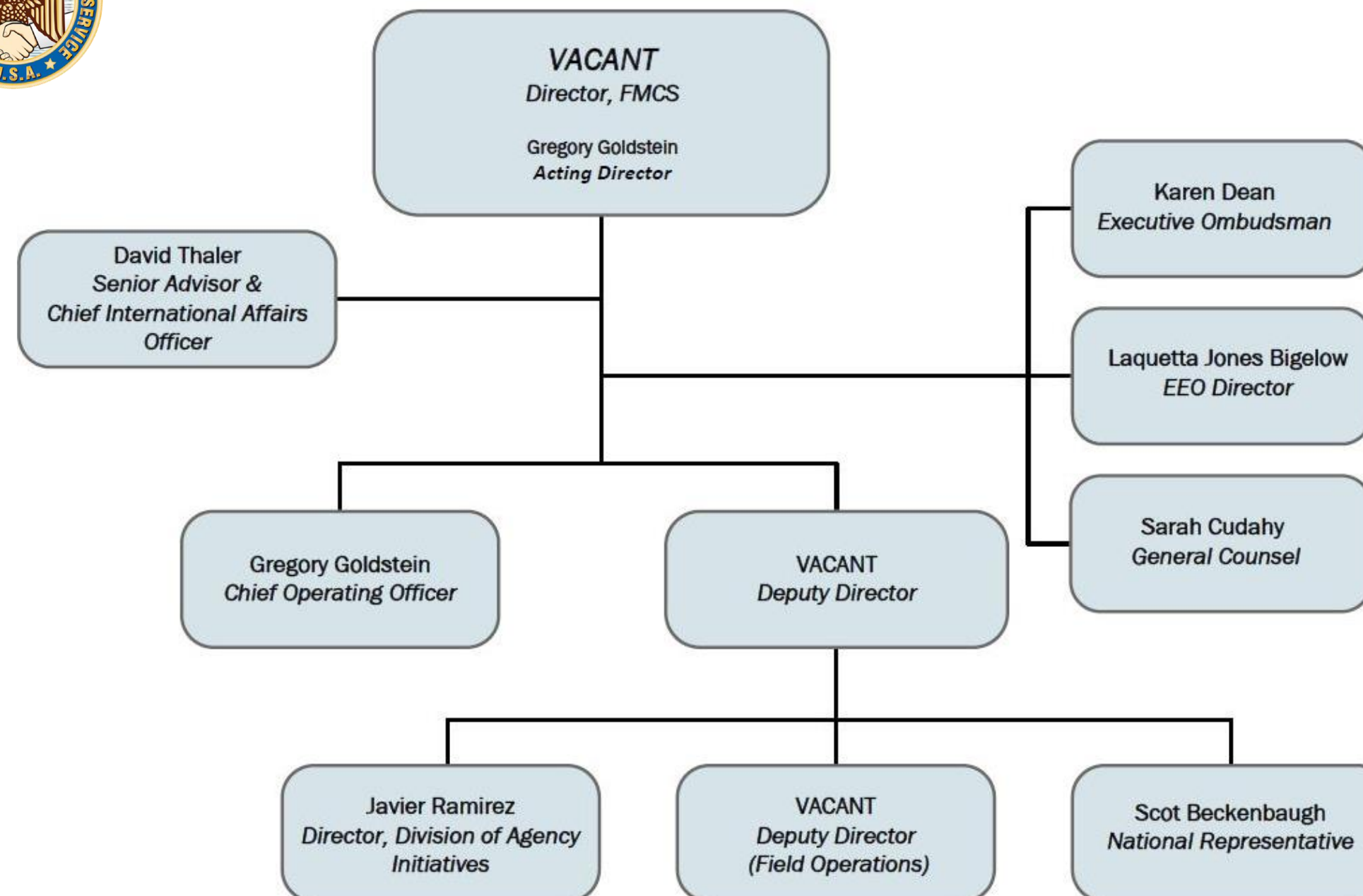


# FMCS Office of the Director

## FEDERAL MEDIATION & CONCILIATION SERVICE



### OFFICE OF THE DIRECTOR



\*As of Jan, 2022



# Office of the Director



## Gregory Goldstein

*Acting Director\*/Chief Operating Officer*

\*As of Jan, 2022

- Joined FMCS in 2018; Mr. Goldstein's 25+ year career in public service, business, and military life has included positions in the U.S. Marine Corps and Army National Guard, and most recently as a member of the Senior Executive Service, serving as Executive Officer and Director of Operations, Management and Technology Office within the Substance Abuse Mental Health Services Administration (SAMHSA).
- Responsible for overseeing FMCS's critical operations initiatives. Mr. Goldstein's considerable leadership and management expertise help to ensure proper development, execution, and coordination of the Agency's management and administrative functions.



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# Office of the Director



## Scot Beckenbaugh

### *National Representative*

- Serves as the Agency's "master mediator" of high-profile collective bargaining disputes and is responsible for developing and coordinating increased engagement with FMCS customers for future relationship development and mediation opportunities in key industries and occupations.
- He has extensive experience in public sector dispute mediation, as well as in regulatory negotiations, public policy, land use, and civil rights disputes. A long-time member of the Association of Labor Relations Agencies, Mr. Beckenbaugh also serves on the ALRA Executive Board.



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# Office of the Director



## David Thaler

*Senior Advisor, Office of the Director*

- Has trained labor and management partners in many industries in core relationship and communications skills to help them better administer their collective bargaining agreements.
- Internationally, Commissioner Thaler has trained officials from several U.S. and foreign government agencies in mediation and conflict management.

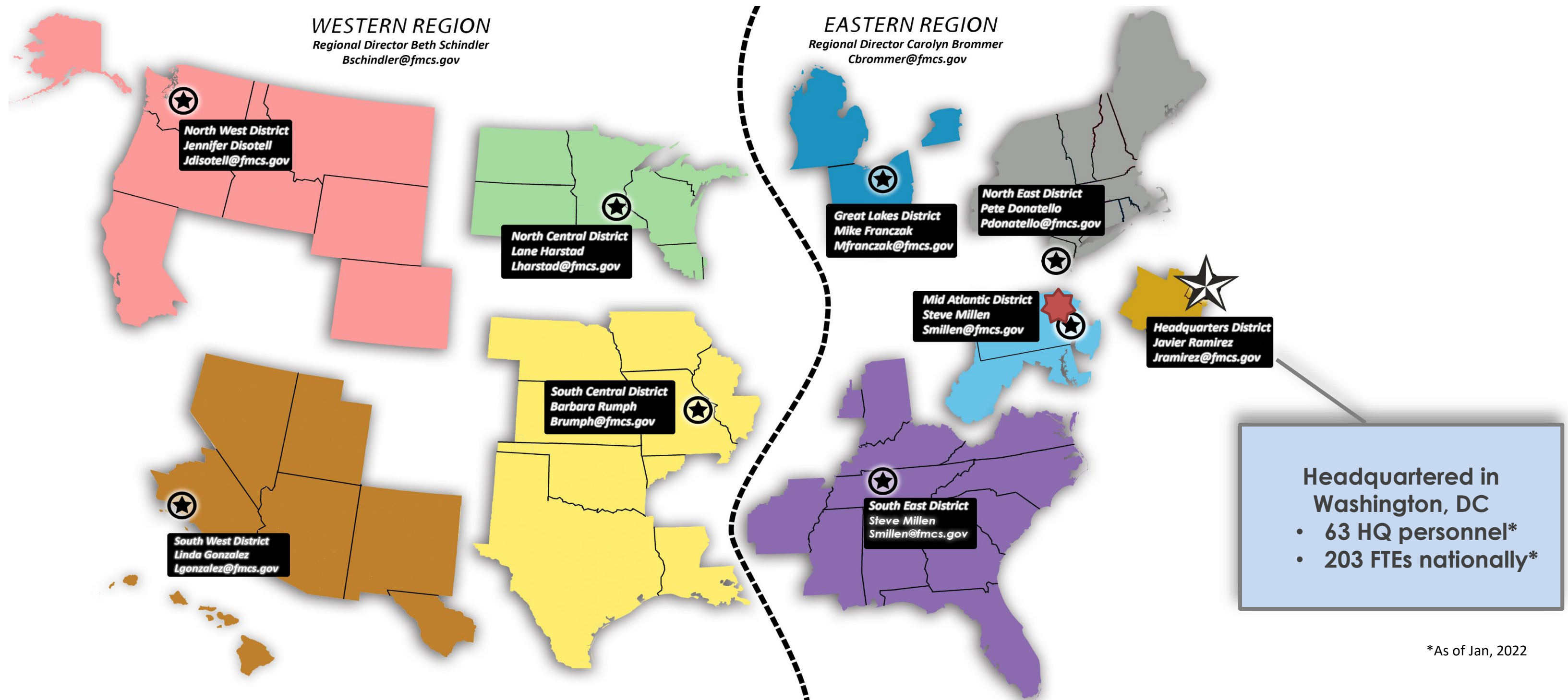


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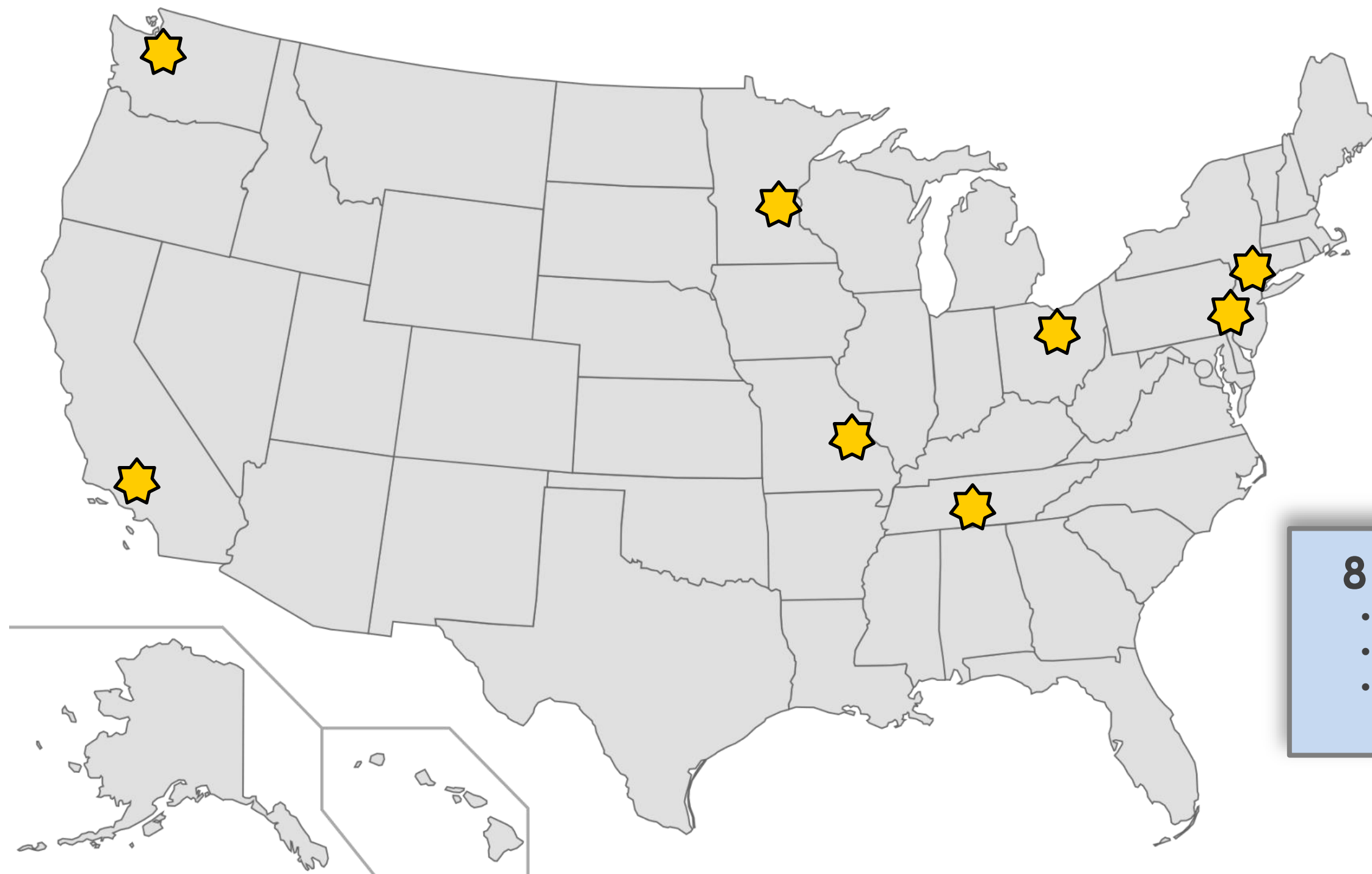
# FMCS Structure







# FMCS Structure



## 8 District Offices\*

- 67 Field/Local Offices\*
- 140 field mediators\*
- 9 district administrative staff\*

\*As of Jan, 2022



# FMCS: How Can We Help You?



# How Can Mediation Benefit You?

Mediation, the use of a third-party neutral, can help you “bridge the gap.”



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# Mediation: An Effective Tool for Conflict Resolution

- Parties retain control of resolution
- Voluntary (in most cases)
- Informal vs. formal process
- Time efficient
- Cost effective



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# A Federal Mediator Can:

## Help Parties

- Clarify issues
- Define problems
- Generate options
- Explore alternatives



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# A Federal Mediator Can:

## Help Parties

- Keep talks moving forward
- Make suggestions
- Establish realistic expectations



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A man in a white shirt and blue tie is standing and speaking to a group of people in an office setting. He is gesturing with his hands. The background shows office cubicles and a ceiling with lights. The text "FMCS Services" is overlaid on the image in a large, white, serif font.

# FMCS Services



# FMCS Services

## COLLECTIVE BARGAINING MEDIATION

- *Private, Public, and Federal Sectors*

## RELATIONSHIP DEVELOPMENT AND TRAINING

- *Customized training for labor and management*

## GRIEVANCE MEDIATION





# FMCS Services

## ARBITRATION SERVICES

- *Maintains a nationwide roster of highly qualified arbitrators and promotes the advancement of fair and effective labor arbitration*

## EDUCATION, ADVOCACY, and OUTREACH

- *Of Collective Bargaining and Dispute Resolution Processes and Services*



# FMCS Services

## EMPLOYMENT MEDIATION and NON-COLLECTIVE BARGAINING ADR SERVICES

- *As an alternative to litigation of non-labor employment disputes, public policy and regulatory disputes*
- *Includes consultation, convening, design, training, and neutral services*





# FMCS Services

## CONFLICT MANAGEMENT AND PREVENTION SERVICES FOR GOVERNMENT

- *Outside the collective bargaining arena, FMCS provides employment mediation services to the Federal sector and to state and local governments.*
- *Our services help reduce litigation costs and promote better government decision-making.*





# FMCS Services



## SHARED NEUTRALS PROGRAM

- *Interagency mediation program administered by FMCS in the national capital area*
- *Provides collateral duty, non-FMCS neutrals to participating Federal agencies for mediation of non-complex cases*





# FMCS Services

## FMCS INSTITUTE

- *Unique Training*
- *The FMCS Institute for Conflict Management delivers conflict resolution training that's accessible, practical, experience-based and directed towards individuals and small groups of employees and managers.*

A man in a white shirt and blue tie stands in the background of a meeting room, smiling. In the foreground, a group of people are seated around a table, looking towards him. The scene is brightly lit with large windows in the background.

# The Impact of Mediation on the Bargaining Process





# FMCS By the Numbers

## A National Look – FY 2021\*

- Mediated **2,788** Collective Bargaining negotiations
- Mediated **1,967** high-impact Grievance Mediations
- Mediated **1,169** ADR cases

\*FMCS Closed Case Data



# FMCS By the Numbers

## A National Look – FY 2021\*

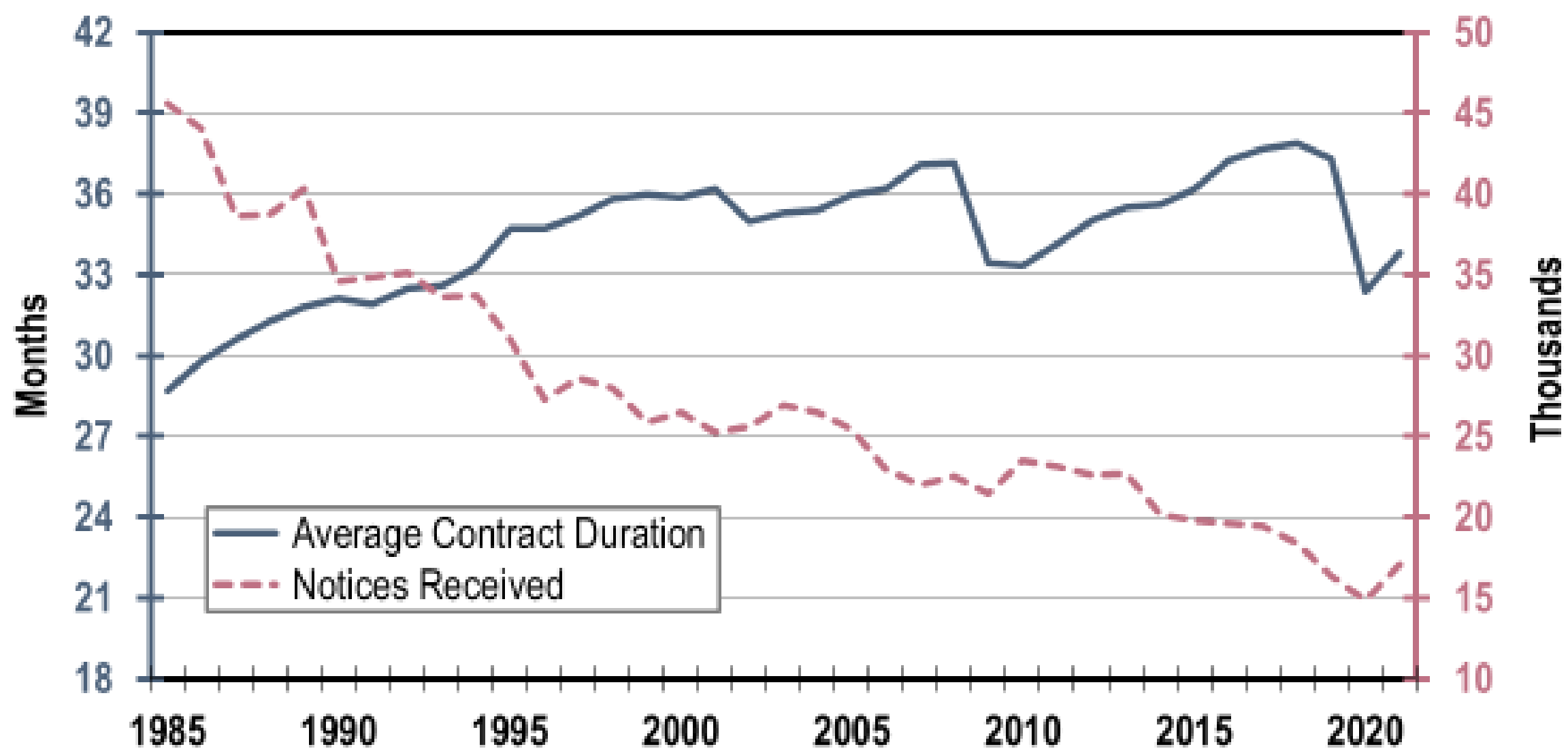
- Conducted **1,284** single or multi-day Training and Intervention Programs
- Provided **10,544** Arbitration Panels
- Appointed **4,417** Arbitrators

\*FMCS Closed Case Data



# Collective Bargaining Trends

Bargaining Notices Received and Contract Durations, 1985-2021



Source: FMCS Case Data

Source: FMCS Case Data

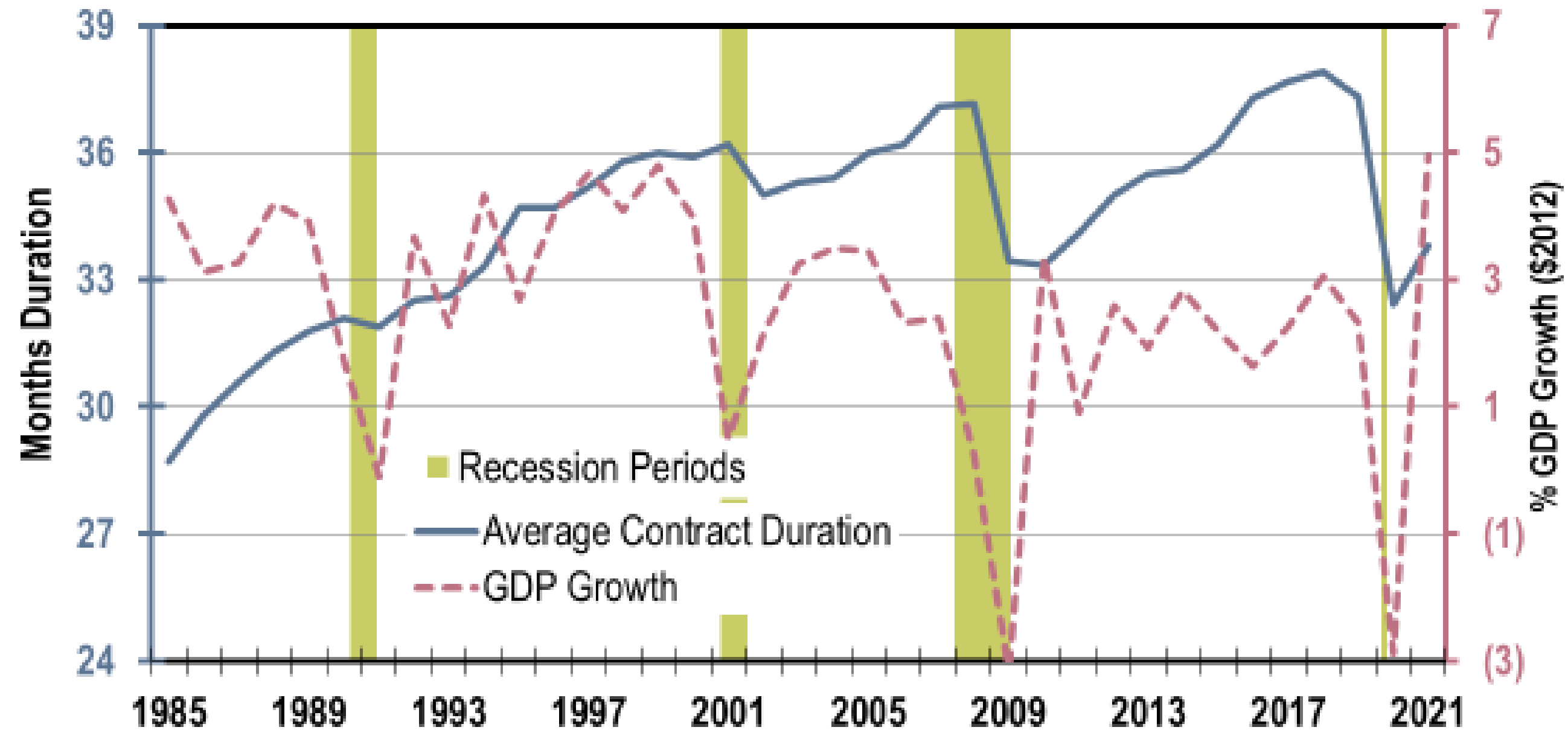


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# Effect of Business Cycles

New Contract Durations v GDP Growth, FY 1985–2021



Sources: FMCS; Department of Commerce; National Bureau of Economic Research





# FMCS Services



## ARBITRATION

- *Through its Office of Arbitration, FMCS administers a roster of approximately 1,000 highly qualified and experienced arbitrators.*
- *Arbitrators are selected for the roster based on standards of excellence in a process overseen by the Arbitration Review Board and subject to approval of the Agency Director.*



# FMCS Services



## ARBITRATION SERVICES

- In FY 2021, FMCS provided more than **10,544** arbitration panels to requesting parties, with **4,417** appointments from the FMCS roster by the requesting parties to hear their dispute.



# Cooperative Relationships

## Keys to Cooperative Relationships of Any Kind

1

### **COMMUNICATION**

(Develop joint problem-solving teams)

2

### **COMMUNICATION**

(Don't let problems fester)

3

### **COMMUNICATION**

(Be honest about issues)

4

### **COMMUNICATION**

(Know when to get help)



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# For more information: [www.fmcs.gov](http://www.fmcs.gov)

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# THANK YOU.

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